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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/543,051

07/21/2005

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590157-2024

5677

7590 06/14/2007  
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EXAMINER

CULLER, JILL E

ART UNIT

PAPER NUMBER

2854

MAIL DATE

DELIVERY MODE

06/14/2007

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

## Office Action Summary

Application No.

10/543,051

Applicant(s)

IWAMOTO ET AL.

Examiner

Jill E. Culler

Art Unit

2854

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 21 July 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 7-14 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 7-14 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 21 July 2005 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
- 1) ☒ Certified copies of the priority documents have been received.
  - 2) ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - 3) ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date 20051129.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_.

**DETAILED ACTION**

***Claim Objections***

1. Claims 7-14 are objected to because of the following informalities:

In claims 7, 11 and 13, on line 3, there appears to be a word or words missing after "between". The claim language as written is not grammatically correct. In addition, the claim language in many areas appears to be a literal translation and would be better if rewritten in proper idiomatic English.

In claim 13, on lines 14-15, the recitation of "the ceasing time" has no antecedent basis. For the purposes of examination it has been assumed that this ceasing time is equivalent to that of claim 8 and the claim has been examined accordingly.

Appropriate correction is required.

***Claim Rejections - 35 USC § 102***

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 7-14 are rejected under 35 U.S.C. 102(b) as being anticipated by U.S. Patent No. 5,699,731 to Hara.

With respect to claims 7 and 11, Hara teaches an ink supply system, 39, comprising an ink supply means which supplies ink in an ink container to an ink fountain where the ink is temporarily stored between where the ink is discharged from an ink

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container and the ink is supplied to the inner peripheral surface of a printing drum, 37, see column 6, lines 43-51, an ink amount detecting means, 141, which outputs an ink supply starting signal when the amount of ink in the ink fountain supplied by the ink supply means becomes smaller than a predetermined first threshold value and an ink supply terminating signal when the amount of ink in the ink fountain becomes not smaller than a predetermined second threshold value, see column 7, line 50 - column 8, line 3, a time measuring means which measures the elapsing time from the time the ink supply starting signal is output from the ink amount detecting means, an empty ink container recognizing means which recognizes that the ink container is exhausted when the elapsing time measured by the time measuring means becomes longer than a predetermined inkless time before the ink supply terminating signal is output, and an ink supply control means which starts the ink supply means supplying the ink in response to the ink supply starting signal and stops the ink supply means from supplying the ink in response to the ink supply terminating signal, see column 10, lines 4-18, wherein the improvement comprises that the empty ink container recognizing means reads out a parameter from a storage means which is provided on the ink container to store a parameter representing an inkless time corresponding to the kind of the ink in the ink container, and sets the inkless time on the basis of the parameter. See column 11, lines 14-42.

With respect to claim 8, Hara teaches a ceasing time measuring means which measures a ceasing time from interruption of the action of the printing drum and resumption of the same, wherein the parameter stored in the storage means represents

an inkless time corresponding to the ceasing time and the kind of the ink in the ink container, and the empty ink container recognizing means sets the inkless time on the basis of the parameter. See column 9, lines 36-48.

With respect to claim 13, Hara teaches an ink container which is used for carrying out an ink supply method where supply of ink from an ink container to an ink fountain where the ink is temporarily stored between where the ink is discharged from an ink container and the ink is supplied to the inner peripheral surface of a printing drum, 37, see column 6, lines 43-51, is started when the amount of ink in the ink fountain becomes smaller than a first threshold value and is terminated when the amount of ink in the ink fountain becomes not smaller than a second threshold value after the supply of ink is started, see column 7, line 50 - column 8, line 3, the elapsing time from the start of the supply of ink is measured, it is recognized that the ink container is exhausted when the measured elapsing time from the start of the supply of ink becomes longer than a predetermined inkless time before the amount of ink in the ink fountain becomes not smaller than the second threshold value after the supply of ink is started, see column 10, lines 4-18, a parameter is read out from a storage means which is provided on the ink container to store a parameter representing an inkless time corresponding to the kind of the ink in the ink container, see column 11, lines 14-42, and the inkless time is set on the basis of the parameter, comprising a storage means which stores a parameter representing an inkless time corresponding to the ceasing time and the kind of the ink in the ink container. See column 9, lines 36-48.

With respect to claims 9, 10, 12 and 14, Hara teaches that the kind of the ink represents the viscosity of the ink. See column 4, lines 6-8.

### ***Conclusion***

4. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. U.S. Patent No. 3,848,529 to Gegenheimer et al., U.S. Patent No. 4,479,433 to MacPhee et al., U.S. Patent No. 5,460,091 to Mazzenga et al. and U.S. Patent No. 6,772,690 to Inoue each teach an apparatus having apparent similarities to the claimed subject matter.

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jill E. Culler whose telephone number is (571) 272-2159. The examiner can normally be reached on M-F 10:00-6:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Judy Nguyen can be reached on (571) 272-2258. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

jec

*Jill E. Haller*  
Patent Examiner